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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.			
10/665,871	09/18/2003	Jean-Pascal Zambaux	ATMI-657 6762				
23448	7590 06/29/2006	06/29/2006		EXAMINER			
INTELLECTUAL PROPERTY / TECHNOLOGY LAW			BIANCO, PATRICIA				
PO BOX 14329 RESEARCH TRIANGLE PARK, NC 27709		27709	ART UNIT	PAPER NUMBER			
			3761				
			DATE MAILED: 06/29/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Supplemental Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/665,871	ZAMBAUX, JEAN-PASCAL		
Examiner	Art Unit		
Patricia M. Bianco	3761		

this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compleme with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expires than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHBN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL RELECTION. See MPEP 706.07(1).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have seen filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.137(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final origication and replaced the final rejection, even it timely filed, may reduce any samed patent term adjustment. See 37 CFR 1.704(b).  CONTICE OF APPEAL  Continued to the file of the final rejection and the corresponding amount of the final rejection, even it timely filed, may reduce any file of the file of the final rejection, even it timely filed, may reduce any file of the fi	Before the I ming of all Appear Brief	Examiner	Art Unit							
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Primary Examiner Art Unit: 3761 6/10/06

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that Walter, throughout the disclosure, does not support the Examiner's position that a gas will be within the sheath and remain there until the seal is broken, and that the gas will be sterile, as set forth in the rejection mailed 2/24/06. Applicant points to portions of the Walter disclosure that discuss the bag being collapsed before filling and rid of air, that the bag is taught to not contain air to avoid embolism, and that the invention provides a system that elimiates the liquid-gas interface (see pgs. 3-4 of remarks). However, this discussion is all directed to the bag being void of air. The connector that comprises a needle cannula (16) surrounded by a tubular sheath/diaphragm (17) in Walter is taught to be sealed to provide sterility for the canula and its outlet from bacterial contamination. The sterility is maintained by being sealed, and it is obvious that air (i.e. a gas) will be within the sealed sheath and remain there until the seal is broken and that the air/gas would be sterile. Said cannula is used to pierce a tube at the time of use, thereby releasing the air. This feature is separate from the bag being void of air; the bag being without air to prevent a liquid-gas interface is a separate, unrelated strucural component.